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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/728,321
Applicants : Hopkins
Filed : December 4, 2003
TC/A.U. : 1794
Examiner : Ferguson, Lawrence D.
Title : High Modulus Thermoplastic Films and
Their Use as Cash Register Tapes

Docket No. : HOP-1
Customer No. : 29698

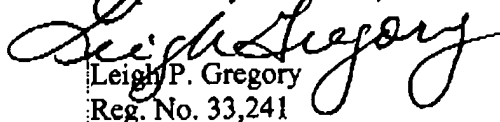
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Notification of Non-Compliant Appeal Brief

Sir:

In response to the Notification of Non-Compliant Appeal Brief dated August 22, 2008, attached please find replacement sections relating to Status of Claims and Summary of Claimed Subject Matter. The original Status of Claims was found to be defective because it failed to explicitly identify which claims are on appeal. The original Summary of Claimed Subject Matter was found to be defective because it failed to identify and separately refer each independent claim to the specification by page and line number. These two defects have been addressed in the attached replacement sections. A petition for a one-month extension of time, extending the period of response to and including October 22, 2008, is filed herewith.

Respectfully Submitted,


Leigh P. Gregory
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9-25-08
Date

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Appl. No. 10/728,321
Appeal Brief dated 07/25/08

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Status of Claims

Claim 1 – rejected – under appeal
Claim 2 – rejected – under appeal
Claim 3 – rejected – under appeal
Claim 4 – rejected – under appeal
Claim 5 – rejected – under appeal
Claim 6 – rejected – under appeal
Claim 7 – rejected – under appeal
Claim 8 – rejected – under appeal
Claim 9 – rejected – under appeal
Claim 10 – rejected – under appeal
Claim 11 – cancelled
Claim 12 – rejected – under appeal
Claim 13 – rejected – under appeal
Claim 14 – rejected – under appeal
Claim 15 – rejected – under appeal
Claim 16 – rejected – under appeal
Claim 17 – rejected – under appeal
Claim 18 – rejected – under appeal
Claim 19 – rejected – under appeal
Claim 20 – rejected – under appeal
Claim 21 – cancelled
Claim 22 – withdrawn
Claim 23 – withdrawn
Claim 24 – withdrawn
Claim 25 – withdrawn
Claim 26 – withdrawn
Claim 27 – withdrawn
Claim 28 – withdrawn

Appl. No. 10/728,321
Appeal Brief dated 07/25/08

Summary of Claimed Subject Matter

Independent claim 1 is directed to a thermoplastic film composite for use as a cash register or receipt tape as is shown in Figure 1, reference numeral 10, and as is discussed throughout the present specification. The composite is formed of an essentially non-heat shrinkable film (Fig. 1, ref. 12, spec. page 5, line 4, page 8, lines 4 – 6) having a first outer film surface (Fig. 1, ref. 17, spec. page 5, line 7) and a second outer film surface (Fig. 1, ref. 19, spec. page 5, line 8). The film has a core layer (Fig. 1, ref. 14, spec. page 5, lines 5, 6, page 5, line 20 – page 6, line 8) and a first outer layer (Fig. 1, ref. 16, spec. page 5, line 6). The first outer layer contains a non-migratory static additive (spec. page 6, lines 9 – 25). A heat-sensitive, thermal image coating (Fig. 1, ref. 20, spec. page 5, lines 3 – 19, page 6, line 30 – page 7, line 9) is disposed on the second outer layer. At least one of the two outer layers contains a pigment (spec. page 5, lines 16 – 19, page 7, lines 7, 8). The composite has a 1% secant modulus in the machine direction of at least about 150,000 psi (spec. page 7, lines 23 – 28).

Independent claim 12 is directed to the present composite essentially as is shown in Figure 1, reference numeral 10, and as is discussed throughout the present specification. The composite is formed of an essentially non-heat shrinkable film (Fig. 1, ref. 12, spec. page 5, line 4, page 8, lines 4 – 6) having a first outer film surface (Fig. 1, ref. 17, spec. page 5, line 7) and a second outer film surface (Fig. 1, ref. 19, spec. page 5, line 8). The film has a core layer (Fig. 1, ref. 14, spec. page 5, lines 5, 6, page 5, line 20 – page 6, line 8). An anti-static coating is disposed on the first outer film surface (spec. page 6, lines 26 – 29). A heat-sensitive, thermal image coating (Fig. 1, ref. 20, spec. page 5, lines 3 – 19, page 6, line 30 – page 7, line 9) is disposed on the second outer layer. At least one composite component contains a pigment (spec. page 6, lines 3 – 8). The composite has a 1% secant modulus in the machine direction of at least about 150,000 psi (spec. page 7, lines 23 – 28).